

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Anthony Leonard

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-against-

Equifax Information Services
Experian Information Services

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Complaint for a Civil Case

Case No. 2:23-cv-276-DCN-MHC

(to be filled in by the Clerk's Office)

Jury Trial: Yes No
(check one)

U.S. DISTRICT COURT
CLERK, CHARLESTON, SC
2023 JAN 20 PM 1:04

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	<u>Anthony Leonard</u>
Street Address	<u>9691 Patriot Blvd #111b</u>
City and County	<u>Lakewood</u>
State and Zip Code	<u>S.C. 24456</u>
Telephone Number	<u>843 442 1388</u>

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Defendant No. 1

Name	<u>Equifax Information Services LLC</u>
Job or Title (if known)	
Street Address	<u>2 Sun Court, Suite 400</u>
City and County	<u>Penntree Corners</u>
State and Zip Code	<u>GA 30092</u>
Telephone Number	

Defendant No. 2

Name	<u>Experian Information Solutions, Inc.</u>
Job or Title (if known)	
Street Address	<u>1999 Bryan St Ste 900</u>
City and County	<u>Dallas</u>
State and Zip Code	<u>TX 75201</u>
Telephone Number	

Defendant No. 3

Name	
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Job or Title _____
 (if known) _____

Street Address _____

City and County _____

State and Zip Code _____

Telephone Number _____

Defendant No. 4

Name _____

Job or Title _____
 (if known) _____

Street Address _____

City and County _____

State and Zip Code _____

Telephone Number _____

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? (*check all that apply*)

Federal question

Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

15 USC 1681

B. If the Basis for Jurisdiction Is Diversity of Citizenship

1. The Plaintiff(s)

a. If the plaintiff is an individual

The plaintiff, (name) Anthony Leonard, is a citizen of the State of (name) South Carolina.

b. If the plaintiff is a corporation

The plaintiff, (name) _____, is incorporated under the laws of the State of (name) _____, and has its principal place of business in the State of (name) _____.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)

a. If the defendant is an individual

The defendant, (name) _____, is a citizen of the State of (name) _____. Or is a citizen of (foreign nation) _____.

b. If the defendant is a corporation

The defendant, (name) _____, is incorporated under the laws of the State of (name) _____, and has its principal place of business in the State of (name) _____. Or is incorporated under the laws of (foreign nation) _____, and has its principal place of business in (name) _____.

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because (*explain*):

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

Defendants willfully and negligently failed to comply with its responsibilities under the FCLRA

IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

Plaintiff seeks relief in the amount of \$5,000 in consumer violations plus \$50,000 in punitive damages for reporting discrepancies that total a loss of a business loan from the SBA

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA**

ANTHONY LEONARD,

Case No: _____

COMPLAINT

Plaintiff,

15 U.S.C. § 1681 *et Seq.*

v.

EQUIFAX INFORMATION SERVICES LLC,
And EXPERIAN INFORMATION SOLUTIONS,
INC

Defendants

INTRODUCTION

1. This civil action seeks redress for practices that violate the Fair Credit Reporting Act (“FCRA”), 15 U.S.C. § 1681 *et seq.*, is a federal consumer protection law.

JURISDICTION AND PARTIES

2. Venue in this District is proper in the United States District Court for South Carolina under 28 U.S.C. §§ 1331 and the court has jurisdiction to grant the relief sought by the Plaintiff pursuant to 15 U.S.C. § 1681n/o

3. Plaintiff Anthony Leonard is a natural person who resides in the District of South Carolina (Charleston County) and is a “person” and “consumer” as defined in the FCRA, 15 U.S.C. § 1681a(b) and (c).

4. Equifax Information Services LLC (“Equifax”) is a Georgia limited liability company that regularly evaluates and reports consumer credit information to third parties through interstate commerce and is a “consumer reporting agency” as define by the FCRA at 15 U.S.C. § 1681a(f).

5. Experian Information Solutions Experian Information Solutions, Inc. (“Experian”) is an Ohio corporation that regularly evaluates and reports consumer credit information to third parties through interstate commerce and is a “consumer reporting agency” as defined by the FCRA at 15 U.S.C. § 1681a(f).

FACTUAL ALLEGATIONS

6. From October 9, 2022 to December 14, 2022, plaintiff sent Equifax and Experian detail letters disputing the accuracy of his credit report.

7. Specifically, Plaintiff disputed the false derogatory information that was being reported.
8. Upon receiving plaintiff initial dispute letters, Equifax and Experian failed to communicate plaintiff disputes. Initially, Equifax and Experian both failed to conduct a reasonable timely investigation after receiving plaintiff dispute letters, resulting in the continued reporting of false derogatory information on plaintiff credit report.
9. After receiving generic dispute responses from Equifax and Experian that continued to contain false derogatory information, plaintiff again sent Equifax and Experian detailed letters disputing the accuracy of his credit reports.
10. As a result of the conduct of Equifax and Experian as alleged above from October 9, 2022 to December 14, 2022, plaintiff suffered severe ongoing emotional harm including but not limited to frustration, stress, anxiety, worry, damage to reputation and economic losses including but not limited to damage to their credit, lower credit scores and lost opportunities to receive credit.

CAUSES OF ACTION

FIRST CLAIM FOR RELIEF AGAINST EQUIFAX

(15 U.S.C § 1681n/o)

11. Plaintiff re-allege the paragraphs above by reference.
12. From October 9, 2022 to December 14, 2022, Equifax willfully and negligently failed to comply with its responsibilities under the FCRA found at 15 U.S.C. §1681e(b) by failing to follow reasonable procedures to assure maximum possible accuracy of the information in plaintiff credit report and failed to comply with its reinvestigation responsibilities found at 15 U.S.C. § 1681i.
13. As a result of Equifax's willful or negligent failure to comply with the FCRA, plaintiff is entitled to compensation for their damages as alleged above, punitive damages (upon a determination of a willful violation) and reimbursement of fees and cost under 15 U.S.C. § 1681n/o.

SECOND CLAIM FOR RELIEF AGAINST EXPERIAN

(15 U.S.C. § 1681n/o)

14. Plaintiff re-allege the paragraphs above by reference.

15. From October 9, 2022 to December 14, 2022, Experian willfully and negligently failed to comply with its responsibilities under the FCRA found at 15 U.S.C. §1681e(b) by failing to follow reasonable procedures to assure maximum possible accuracy of the information in plaintiff credit report and failed to comply with its reinvestigation responsibilities found at 15 U.S.C. § 1681i.

16. As a result of Experian's willful or negligent failure to comply with the FCRA, plaintiff is entitled to compensation for their damages as alleged above, punitive damages (upon a determination of a willful violation) and reimbursement of fees and cost under 15 U.S.C. § 1681n/o.

WHEREFORE, after a determination or stipulation that defendants conduct as alleged in this complaint violated the FCRA, plaintiff seeks judgment against the defendants for the following:

1. An award of actual damages against Equifax and Experian;
2. An award of punitive damages against Equifax and Experian;
3. Any other equitable relief this court may determine to be fair and just.

Dated: 1/20/2023

By: 

Anthony Leonard
PO Box 40853
North Charleston, SC 29423
Phone: 843-442-1388
Email: Anthonyleonard419@gmail.com

V. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

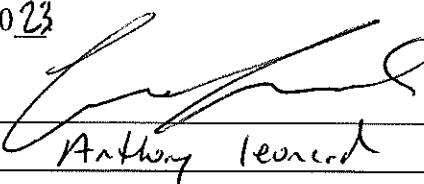
A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: January 10, 2023

Signature of Plaintiff

Printed Name of Plaintiff


Anthony Leonard**B. For Attorneys**

Date of signing: _____, 20__.

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Address

Telephone Number

E-mail Address